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IFW/RCE

Request  
for  
Continued Examination (RCE)  
Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<i>Application Number</i>	10/820,280
<i>Filing Date</i>	April 18, 2004
<i>First Named Inventor</i>	Adoline et al.
<i>Art Unit</i>	3683
<i>Examiner Name</i>	Mariono O. Sy
<i>Attorney Docket Number</i>	BGEE 2 00017

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)

ii.  Affidavit(s)/ Declaration(s)      iv.  Other \_\_\_\_\_

**2. Miscellaneous**

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

a.  period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a.  Deposit Account No. 06-0308

i.  RCE fee required under 37 CFR 1.17(e)      02/26/2007 EAYALEW1 00000019 10820280

ii.  Extension of time fee (37 CFR 1.136 and 1.17)      01 FC:1801 790.00 0P

iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Brian E. Turung	Registration No. (Attorney/Agent)	35,394
Signature		Date	February 20, 2007

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Adeline Machado
Signature	<i>Adeline Machado</i>

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## AMENDMENT TRANSMITTAL LETTER

Ser. No.: 10/820,280	Filed: April 8, 2004	Examiner: Mariano O. Sy
Art Unit: 3683	Title: DAMPENED COMPRESSION SPRING ROD	

To the Commissioner for Patents:

Transmitted herewith is an *Amendment* in the above-identified application. The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims remaining after amendment		Highest Number Previously Paid For	No. of Extra Claims Present	Rate	Additional Rate
Total Claims	64	Minus	55	9	X \$50	\$450.00
Indep. Claims	2	Minus	3	0	X \$200	\$0.00
<b>TOTAL</b>				=		<b>\$450.00</b>

No additional fee is believed due however, if this is not the case, the Commissioner is hereby authorized to charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

Payment for the filing of this Amendment and any appropriate extension of time fees are authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. **If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.**

Applicant(s) hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a month extension of time to respond to the outstanding Office Action.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

  
BRIAN E. TURUNG, Reg. No. 35,394  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2579  
216-861-5582

Date:

CERTIFICATE OF MAILING OR TRANSMISSION

I certify that this Amendment Transmittal Letter and accompanying documents are being

deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.

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Express Mail Label No.:	Signature
	
Date	Printed Name
February 20, 2007	Adeline Machado